

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NORMAN GERALD DANIELS, III,

Plaintiff,

v.

A. BAER, et al.,

Defendants.

No. 1:19-cv-01801 KES GSA (PC)

ORDER DIRECTING PLAINTIFF TO FILE  
NOTICE OF CURRENT ADDRESS AND TO  
INFORM COURT IF HE WISHES TO  
CONTINUE TO PROSECUTE THIS CASE

PLAINTIFF'S RESPONSES DUE IN  
FOURTEEN DAYS

Plaintiff, a former state prisoner<sup>1</sup> proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. Defendants removed this matter from state court to federal court. See ECF No. 1.

For the reasons stated below, Plaintiff will be ordered to provide the Court with a notice of his current address. In addition, he will be directed to inform the Court whether he wishes to continue to prosecute this case.

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<sup>1</sup> Plaintiff's prison ID number is T46088. See case caption of docket. It appears that Plaintiff is no longer incarcerated by the California Department of Corrections and Rehabilitation. See <https://ciris.mt.cdcr.ca.gov/results?cdcrNumber=T46088> (stating "No Results" found for CDCR number T46088) (last visited 7/23/25).

1 I. RELEVANT FACTS

2 On September 28, 2022, the District Judge assigned to this matter adopted the findings  
3 and recommendations of the undersigned, and the case was closed. See ECF Nos. 53, 59, 60  
4 (findings and recommendations; order adopting; judgment, respectively). Thereafter, on October  
5 25, 2022, Plaintiff's notice of appeal to the Ninth Circuit was docketed. ECF No. 61.

6 On June 30, 2025, the Ninth Circuit issued a memorandum on Plaintiff's appeal. ECF No.  
7 68. The opinion affirmed the District Court's opinion in part, and it reversed and remanded it in  
8 part. Id. On July 22, 2025, the appellate court's mandate issued. ECF No. 69.

9 II. DISCUSSION

10 The last filing that Plaintiff did in this case was in October of 2022, when he filed a notice  
11 of appeal with the Court. See ECF No. 61. Since then, he has filed nothing else. In addition, as  
12 stated above, a recent search for Plaintiff in the California Department of Corrections and  
13 Rehabilitation's inmate database by his prison identification number indicates that Plaintiff is no  
14 longer in its custody. The Court takes judicial notice of this fact. See Fed. R. Evid. 201 (court  
15 may take judicial notice of facts that are capable of accurate determination by sources whose  
16 accuracy cannot reasonably be questioned).

17 Given these facts, as well as the fact that to date, Plaintiff has not filed a notice of change  
18 of address with the Court, before proceeding any further with this matter, Plaintiff will be ordered  
19 to file a notice of change of address with the Court, and he will also be directed to inform the  
20 Court whether he wishes to continue to prosecute this case. Plaintiff will be given fourteen days  
21 to do both.

22 Accordingly, IT IS HEREBY ORDERED that within fourteen days from the date of this  
23 order, Plaintiff shall:

- 24 1. FILE a notice of current address with the Court, and  
25 2. INFORM the Court whether he wishes to continue to prosecute this case.

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27 IT IS SO ORDERED.

28 Dated: July 23, 2025

/s/ Gary S. Austin

UNITED STATES MAGISTRATE JUDGE

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